

County of Monterey

Government Center - Board Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901



Meeting Minutes - Draft

Wednesday, June 26, 2024

9:00 AM

Monterey County Planning Commission

9:00 A.M. - CALL TO ORDER

The meeting was called to order by Chair Diehl at 9:01 a.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Commissioner Monsalve

ROLL CALL

Present:

Christine Shaw
Paul C. Getzelman
Ben Work
Ernesto G. Gonzalez
Francisco Javier Mendoza
Martha Diehl
Etna Monsalve
Katharine Daniels
Ramon Gomez
Amy Roberts

Secretary Beretti reviewed the Zoom protocols.

Clerk notified the Commission that the audio feed from the Board Chambers to Zoom had been lost during the beginning of the meeting. The audio started working a few minutes later. The Chair summarized the beginning of the meeting for the individuals joining through Zoom.

PUBLIC COMMENTS

Kirsten Stember, Laura Fenwick, Lisa Baca, Thea Montella

County Counsel gave informed that the Planning Commission does not have jurisdiction. County staff has made it a referral item.

Clerk, Elizabeth Vasquez, informed the Commission of two correspondence letters that were received, distributed and placed on the dais regarding the Pebble Beach Equestrian Center.

AGENDA ADDITIONS, DELETIONS AND CORRECTIONS

Clerk, Elizabeth Vasquez, informed the Commission of staff submitted an errata memo for agenda Item No. 6 (PLN230261 – 3196 LLC) with the subject being the corrected conditions of approval Nos. 8 & 10 this has been distributed and placed on the dais. Also, correspondence received and distributed by email and on the dais for Agenda Item No. 5 (REF210024 – Big Sur Coast Land Use Plan Update) and Agenda Item No. 6 (PLN230261 – 3196 LLC).

COMMISSIONER COMMENTS AND REQUESTS

Commissioner Shaw hopes to see the letter that was supposed to be sent to the North County Land Use Advisory Committee member for removal. Mentioned it could cause distraction to the North County LUAC if it's not executed soon. Secretary Beretti will be reviewing the drafted letter and will be added to the next available Planning Commission agenda allowing for ample delivery time of the letter to arrive to this LUAC member.

Commissioner Daniels would like to see when it would be possible for the public to see the draft before it goes to State HCD. Secretary Beretti informed the Commission of the steps following the Board of Supervisors direction. The Draft Housing Element Update will post the public draft seven days before it's submitted to State HCD. Once comments are received back from the State staff will take all public comments and the State's comment and produce an updated Draft Housing Element available for review.

Commissioner Shaw asked about the sites that were potentially added to Pajaro and wanted to ask why the community did not have time to give input to the County. Secretary Beretti informed the Commission that the direction from Board of Supervisors was to review the additional sites staff will analyze these sites for appropriateness before adding to the draft. Once the draft is sent to State HCD and they provide comments it will be available for the public to review.

Commissioner Monsalve inquired about the administrative permit process on the demolition for the Pebble Beach Equestrian Center. Secretary Beretti, the demolition permit is a ministerial permit there is no discretion, that demolition permit currently has a hold pending historical review.

Commissioner Diehl would like to state that a piece of public comment from Ms. Hardisty about farmworker housing project in King City which is currently advertising a vacation rental with evidence. Staff will follow-up on this email. Commissioner Diehl asked that this particular public comment be added to the record for Vacation Rental Ordinance discussion and the Housing Element Update discussion.

APPOINTMENTS**1. Appoint Eric Jacobson to the Carmel Valley Land Use Advisory Committee.**

Public Comment: None

It was moved by Commissioner Daniels, seconded by Commissioner Work and passed by the following vote to appoint Eric Jacobson to the Carmel Valley Land Use Advisory Committee.

AYES: Shaw, Work, Gonzalez, Mendoza, Diehl, Monsalve, Getzelman,
 Daniels, Gomez, Roberts
 NOES: None
 ABSENT: None
 ABSTAIN: None

2. Appoint Christopher Sawyer to the Carmel Valley Land Use Advisory Committee.

Public Comment: None

It was moved by Commissioner Daniels, seconded by Commissioner Mendoza and passed by the following vote to Christopher Sawyer to the Carmel Valley Land Use Advisory Committee.

AYES: Shaw, Work, Gonzalez, Mendoza, Diehl, Monsalve, Getzelman, Daniels,
 Gomez, Roberts
 NOES: None
 ABSENT: None
 ABSTAIN: None

APPROVAL OF CONSENT CALENDAR

3. REFERRAL 22.7 AND 22.3 - PAJARO RIVER LEVEE IMPROVEMENTS, 2010 GENERAL PLAN PRIORITY COMMUNITY PLAN UPDATES AND DEVELOPMENT EVALUATION SYSTEM

- a. Consider receiving an update from the Pajaro River Flood Management Agency regarding repair and improvements to the Pajaro River Levee;
- b. Consider receiving an update from staff regarding the Pajaro Long-Term Recovery Planning and status update 2010 General Plan implementation related to Development Evaluation System, Pajaro, Boronda, Castroville and Chualar Community Plans development.
- c. Provide direction to staff.

Project Location: North County Inland Area (Pajaro and Boronda); Central Salinas Valley Area (Chualar); Countywide

Proposed CEQA action: Statutory Exemption pursuant to Section 15262 of the CEQA.

Commissioner Shaw requested Agenda Item No. 3 be pulled from the Consent Agenda due to questions she'd like staff to answer, the Commission mutually agreed and the Chair requested this item be trailed to the end of today's Scheduled Items.

4. REF240022 - COUNTY OF MONTEREY CAPITAL IMPROVEMENT PROGRAM (CIP) FOR FISCAL YEAR 2024/25

Recommend to Public Works, Facilities and Parks on consistency of the Monterey County Capital Improvement Program (CIP) for Fiscal Year 2024/25 with the 2010 General Plan (for noncoastal area) or the Local Coastal Program and the 1982 General Plan (for coastal zone), as applicable.

Project Location: Countywide

Proposed CEQA Action: The General Plan consistency determination is not a project as defined in

Section 15378 of the CEQA Guidelines

Commissioner Daniels requested Agenda Item No. 4 be pulled from the Consent Agenda due to a question she'd like staff to answer, the Commission mutually agreed and the Chair requested this item be trailed to the end of today's Scheduled Items.

9:00 A.M. – SCHEDULED MATTERS

5. REF210024 - BIG SUR COAST LAND USE PLAN UPDATE

- a. Conduct a continued public workshop to review and receive public input regarding the Ad Hoc Committee's proposed updates to the Big Sur Coast Land Use Plan; and
- b. Provide direction to staff.

Project Location: Big Sur Coast Planning Area

Proposed CEQA action: A planning workshop is statutorily exempt per California Environmental Quality Act (CEQA) 15262.

Chair Diehl requested Agenda Item No. 5 be limited to two hours as it is a continuous item.

Taylor Price, Project Planner presented the project.

Rural Community Center Zoning District:

Public Comment: Tray Crop, Marcus Foster, Michael Linder

BSLUP Land use Designation and Zoning Maps:

Public Comment: Tray Crop, Christina McGinnis

BSLLUP – Coastal Implementation Plan (CIP) and 1981 General Plan (1982 GP):

Public Comment: Christina McGinnis, Marcus Foster

Next Steps:

Public Comment: None

Chair Diehl requested of the Planning Commission Ad Hoc Committee to continue to be involved.

No objection from the Commission on the path brought forward by staff.

The Commission recessed for a break at 10:29 a.m. The Commission resumed the meeting at 10:47 a.m., all Commissioners present after break.

6. PLN230261 - 3196 LLC

Public hearing to consider a restoration plan for the removal of 14 Monterey Cypress trees and 8 Monterey Pine trees from a sensitive habitat area/archaeological easement.

Project Location: 3196 17 Mile Drive, Pebble Beach

Proposed CEQA action: Find that the project qualifies as a Class 8 Categorical Exemption pursuant to Section 15308 of the CEQA Guidelines

Kayla Nelson, Project Planner presented the project.

Applicant's Representative: Anthony Lombardo

Applicant: David Windwright

Public Comment: None

It was moved by Commissioner Mendoza, seconded by Commissioner Getzelman and passed by the following vote to find that the project qualifies as a Class 8 Categorical Exemption pursuant to Section 15308 of the CEQA Guidelines; and approve a restoration plan for the removal of 14 Monterey Cypress trees and 8 Monterey Pine trees totaling 22 protected trees from a sensitive habitat area/archaeological easement. Along with including the corrections to condition no. 8 and 10.

AYES: Shaw, Work, Gonzalez, Mendoza, Diehl, Monsalve, Daniels, Gomez, Getzelman

NOES: Roberts

ABSENT: None

ABSTAIN: None

Commissioner Mendoza stated he will not return after lunch due to an appointment at 2:00 p.m.

Commissioner Daniels stated she will need to leave at 2:30 p.m.

Commissioner Gomez stated he will need to leave at 3:30 p.m.

The Commission recessed for lunch at 11:58 a.m. The Commission resumed the meeting at 1:21 p.m. All Commissioners present after lunch except for Commissioner Mendoza.

7. PLN220251 - ARDUA 31 LLC

Public hearing to consider allowing construction of a 6,396 square foot single family dwelling inclusive of a 984 square foot attached garage, associated site improvements (540 cubic yards of cut and 400 cubic yards of fill) and the removal of approximately 41 protected Monterey pine trees.

Project Location: 1272 Viscaino Road, Pebble Beach

Proposed CEQA action: Find the project qualifies for a Class 3 Categorical Exemption pursuant to CEQA Guidelines Article 19 Section 15303, and there are no exceptions pursuant to Section

15300.2.

Zoe Zepp, Project Planner presented the project.

Applicant: Dan Mansur

Applicant's Representative: Angie Phares

Public Comment: None

It was moved by Commissioner Gomez, seconded by Commissioner Daniels and passed by the following vote to continue the item to August 14, 2024 for staff to present a map of staff's recommendation versus what the applicant is requesting. Commissioner Monsalve requested this item be the first scheduled item on the August 14th Planning Commission agenda.

AYES: Shaw, Work, Gonzalez, Diehl, Roberts, Monsalve, Daniels, Gomez, Getzelman

NOES: None

ABSENT: Mendoza

ABSTAIN: None

Commissioner Daniels requested the Commission listen to Agenda Item No. 4 before Agenda Item No. 3 due to her having to leave the meeting at 2:30 p.m. The Commission mutually agreed with this request.

4. REF240022 - COUNTY OF MONTEREY CAPITAL IMPROVEMENT PROGRAM (CIP) FOR FISCAL YEAR 2024/25

Recommend to Public Works, Facilities and Parks on consistency of the Monterey County Capital Improvement Program (CIP) for Fiscal Year 2024/25 with the 2010 General Plan (for noncoastal area) or the Local Coastal Program and the 1982 General Plan (for coastal zone), as applicable.

Project Location: Countywide

Proposed CEQA Action: The General Plan consistency determination is not a project as defined in Section 15378 of the CEQA Guidelines

Public Comment: None

It was moved by Commissioner Daniels, seconded by Commissioner Gomez and passed by the following vote to recommend to Public Works, Facilities and Parks on consistency of the Monterey County Capital Improvement Program (CIP) for Fiscal Year 2024/25 with the 2010 General Plan (for noncoastal area) or the Local Coastal Program and the 1982 General Plan (for coastal zone), as applicable.

AYES: Shaw, Work, Gonzalez, Diehl, Roberts, Monsalve, Daniels, Gomez, Getzelman
NOES: None
ABSENT: Mendoza
ABSTAIN: None

Commissioner Daniels left the meeting at 2:32 p.m.

3. REFERRAL 22.7 AND 22.3 - PAJARO RIVER LEVEE IMPROVEMENTS, 2010 GENERAL PLAN PRIORITY COMMUNITY PLAN UPDATES AND DEVELOPMENT EVALUATION SYSTEM

- a. Consider receiving an update from the Pajaro River Flood Management Agency regarding repair and improvements to the Pajaro River Levee;
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- c. Provide direction to staff.

Project Location: North County Inland Area (Pajaro and Boronda); Central Salinas Valley Area (Chualar); Countywide

Proposed CEQA action: Statutory Exemption pursuant to Section 15262 of the CEQA.

Commissioner Shaw would like to know what the estimated time for groundbreaking in the Pajaro Valley Monterey County side of the levee is. Secretary Beretti recommended staff reach out to Pajaro Valley Flood Management Agency for answer and relay the information back to the Commission during the next meeting prior to the next quarterly report.

Commissioner Shaw also inquired about the how the amounts that were available to the Community determined, who determined those caps? Secretary Beretti informed the Commission that the Board of Supervisors have established guidelines and that program is implemented through various entities or the Department of Emergency Management.

Commissioner Gomez mentioned there is a meeting with Mark Strudley scheduled on July 11, 2024 to talk about the upcoming progress of the Pajaro levee.

Public Comment: None

No motion required.

DEPARTMENT REPORT

Secretary Beretti informed the Commission that on July 9th the Board of Supervisors will be receiving the PLN200203 – Nicola appeal item in Pajaro and PLN210053 -

Grimes which was the item that the Commission recommended establishing a historical overlay. A formal recap of the Board's consideration of the additional sites to the Housing Elements. The Board of Supervisors received the Garrapata Bridge Rail Replacement item on June 11, 2024 and unanimously denied the appeal and the County will be looking to explore legislative solution.

ADJOURNMENT

The meeting was adjourned by Chair Diehl at 2:47 p.m.